

1 but I don't like to just take all limitation out of the
2 Constitution.

3 THE CHAIRMAN: Mr. Clagett?

4 MR. CLAGETT: I have conceded that the jury
5 shall no longer be the determiners of law as well as
6 fact. I cannot concede any further and will stand on
7 the unanimity of the good, solid, true 12 as a practicing
8 attorney.

9 THE CHAIRMAN: That is a comment of an outstand-
10 ing defense lawyer. Mrs. Bothe?

11 MRS. BOTHE: I would like to point out that
12 the present language does not constitutionally preclude
13 a jury of less than 12.

14 MR. MINDEL: We are not talking about less
15 than 12. We are talking about the vote.

16 MRS. BOTHE: One of the methods of jury
17 reform, if the Legislature wanted to declare a jury of
18 6 or any other number, it is open in the present Consti-
19 tution to do it.

20 MR. SCANLAN: That one area is, but if this
21 language stays, the other area of reducing the amount